



Relevant Legal Decisions

[Egan v Canada, \[1995\] 2 S.C.R. 513](#)

- Supreme Court of Canada reads in sexual orientation as analogous ground in s. 15 of *Canadian Charter of Rights and Freedoms*

[Canada \(Attorney General\) v. Bedford, 2013 SCC 72, \[2013\] 3 S.C.R. 1101](#)

- *Criminal Code* provisions (ss. 210, 212(1)(j), 213(1)(c)), activities related to sex work, struck down; seen as violating sex workers' s. 7 right to security of the person

[Canada \(Attorney General\) v. Mossop, \[1993\] 1 S.C.R. 554](#)

- Pre-*Egan* reading in of sexual orientation, this is the first Supreme Court of Canada case to consider equality rights based on sexual orientation

[Chamberlain v Surrey School District No. 36, 2002 SCC 86, \[2002\] 4 SCR](#)

- Supreme Court of Canada held that a BC school board could not refuse to permit the use of books that taught about same-sex relationships and families; Board told it could not impose its religious values by refusing to permit these books

[Halpern v Canada, \[2003\] O.J. No. 2268](#)

- Court of Appeal for Ontario found that common law definition of marriage (between one man and one woman) violated s. 15 rights for same-sex couples; common law definition of marriage rewritten as 'between two persons'

[Marriage Commissioners Appointed Under The Marriage Act \(Re\), 2011 SKCA 3](#)

- Saskatchewan Court of Appeal rejected proposed amendments to the Marriage Act that would have allowed marriage commissioners to refuse to perform same-sex marriages, amendments were seen to violate s. 15 rights

[R. v Morgentaler \[1988\] 1 SCR 30](#)

- Supreme Court of Canada decision which held that the *Criminal Code* provision regarding abortion was unconstitutional and violated women's s. 7 right to security of the person

[Reference re Same-Sex Marriage, \[2004\] 3 S.C.R. 698, 2004 SCC 79](#)

- Reference before the Supreme Court of Canada regarding the definition of marriage; changed from 'one man and one woman' to 'two persons'

[Saskatchewan \(Human Rights Commission\) v Whatcott, 2013 SCC 1 S.C.R. 467](#)

- Supreme Court of Canada confirmed precisely focused prohibitions of hate speech in human rights legislation are consistent with the *Charter of Rights and Freedoms*. Two of four flyers circulated by Bill Whatcott regarding homosexuality were seen to contain hate speech as outlined in the human rights code.

[Trinity Western University v British Columbia College of Teachers, \[2001\] 1 SCR 772, 2001 SCC 3](#)

- Supreme Court of Canada upheld Trinity Western University's application to conduct their teacher education program solely within their university, arguing that the British Columbia College of Teachers were wrong in rejecting the proposal. TWU is a faith-based university with a Community Covenant that BCCT felt would permit discriminatory attitudes towards gay and lesbian individuals which would translate into discriminatory attitudes in the teachers the school produced